

**Chapter 14****General Regulations***(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***Article 1: Separately Regulated Use Regulations***(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***Division 1: General Rules for Separately Regulated Uses***(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***§141.0101 Purpose of Separately Regulated Use Regulations**

This article provides regulations for specific uses that may be desirable and appropriate in a particular zone if limitations or conditions are placed on the *development* of those uses to minimize detrimental effects to neighboring properties or incompatibility with the permitted uses of the base zone.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)***§141.0102 When the Separately Regulated Use Regulations Apply**

- (a) The regulations in this article apply to the *development* of uses that are identified in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) as Limited Uses or as uses requiring a Neighborhood Use Permit or a Conditional Use Permit .
- (b) Limited Uses are uses that are permitted by right subject to the supplemental regulations in this article.
- (c) Uses requiring a Neighborhood Use Permit are uses that may provide essential or desirable community services but have the potential to cause limited, identifiable adverse impacts on surrounding *development* within a localized area. This article contains supplemental regulations and *development* standards to minimize these impacts and identifies issues to be reviewed by the decision maker in evaluating a proposed use to determine whether and under what conditions the use will be permitted.
- (d) Uses requiring a Conditional Use Permit are uses that may provide essential or desirable community services but could have adverse impacts on the surrounding community if not located, designed, and operated with sensitivity. This article contains supplemental regulations and *development* standards to minimize these impacts and identifies issues to be reviewed by the decision

maker in evaluating a proposed use to determine whether and under what conditions the use will be permitted. These regulations and standards are not intended to reflect all issues that might be associated with a proposed *development*, but only those commonly associated with a typical *development*. A proposed *development* may require *development* restrictions or the application of conditions to address issues beyond those identified in this article, based on the development's location or characteristics.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

### **§141.0103 Applicable Regulations for Separately Regulated Uses**

- (a) Except as specifically provided in this article, separately regulated uses are subject to the following regulations unless a variance has been approved in accordance with Chapter 12, Article 6, Division 8:
- (1) The base zone development regulations in Chapter 13, Article 1 (Base Zones);
  - (2) All applicable regulations of Chapter 13, Article 2 (Overlay Zones); and
  - (3) All applicable regulations of Chapter 14 ( General Regulations).
- (b) Where there is a conflict between the regulations in this article and other regulations in the Land Development Code, this article shall apply.
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

### **§141.0104 Decision Process for Separately Regulated Uses**

- (a) Limited Uses. Limited uses are permitted subject to compliance with the supplemental regulations in this article.
- (b) Uses Requiring a Neighborhood Use Permit. A decision on a Neighborhood Use Permit shall be made in accordance with Process Two.
- (c) Uses Requiring a Conditional Use Permit. A decision on a Conditional Use Permit shall be made in accordance with Process Three, Process Four, or Process Five as indicated in the regulations for each conditional use.
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§141.0105 Violations of this Article**

- (a) It is unlawful for any person to maintain or use any *premises* contrary to the applicable regulations in this article unless otherwise provided in the Land Development Code. Any contrary use shall be subject to the enforcement provisions in Chapter 12, Article 1 (General Information on Required Reviews and Enforcement). Violation of any provisions of this article shall be treated as a strict liability offense, regardless of intent.
  
- (b) It is unlawful for any person to make any change in any use that is subject to a Neighborhood Use Permit or a Conditional Use Permit with respect to any of the regulations in this article pertaining to that use without obtaining an amendment to the issued permit.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

